

08/03/01



JC928 U.S. PTO

08-06-01

PTO/SB/05 (12/97)

Approved for use through 9/30/00 OMB 0651-0032

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

type a plus sign (+) inside this box → ☐

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No	2807.2.23	Total Pages	31
First Named Inventor or Application Identifier			
Michael H. Myers			
Express Mail Label No	EL751290411US		

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status. See 37 CFR 1.27.
3. ☒ Specification *Total Pages* (preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross References to Related Application
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) *[Total Sheets]*
5. Oath or Declaration *[Total Pages]*
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
 - [Note Box 5 below]
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Incorporation by Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein

Assistant Commissioner for Patents

ADDRESS TO: **Box Patent Application
Washington, DC 20231**

7. ☐ Microfiche Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Copy
 - b. ☐ Paper Copy (identical to computer copy)
 - c. ☐ Statement verifying identify of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Small Entity Statement filed in prior application, Status still proper and desired
16. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
17. ☒ Other. Express Mail Certificate

18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No..

18. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

28049

or ☐ Correspondence address below

NAME	Hal D. Baird					
	PATE PIERCE & BAIRD					
ADDRESS						
CITY				STATE		
COUNTRY	US		TELEPHONE	(801) 530-5090	FAX	(801) 530-5955

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FEE TRANSMITTAL

Note: Effective October 1, 1997.
Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT		Complete If Known	
		Application Number	
		Filing Date August 3, 2001	
		First Named Inventor Michael H. Myers	
		Group Art Unit	
Examiner Name			
Attorney Docket Number 2807.2.23			

METHOD OF PAYMENT (check one)				FEE CALCULATION (continued)																																																																																																																																																																																											
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number <input type="text"/></p> <p>Deposit Account Name <input type="text"/></p> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Charge the Issue Fee In 37 CFR at the Mailing of the Notice of Allowance</p>				<p>3. ADDITIONAL FEES</p> <table border="1"><thead><tr><th colspan="2">Large Entity</th><th colspan="2">Small Entity</th><th rowspan="2">Fee Description</th><th rowspan="2">Fee Paid</th></tr><tr><th>Fee Code</th><th>Fee (\$)</th><th>Fee Code</th><th>Fee (\$)</th></tr></thead><tbody><tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>147</td><td>2520</td><td>147</td><td>2520</td><td>For filing a request for reexamination</td><td></td></tr><tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>113</td><td>1840*</td><td>113</td><td>1840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within second month</td><td></td></tr><tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension for reply within third month</td><td></td></tr><tr><td>118</td><td>1390</td><td>218</td><td>695</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>128</td><td>1890</td><td>228</td><td>945</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td></td></tr><tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td></td></tr><tr><td>138</td><td>1510</td><td>138</td><td>1510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - 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SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name		Hal D. Baird		Reg Number	42,284
Signature				Deposit Account User ID	
Date		Aug 3, 2001			

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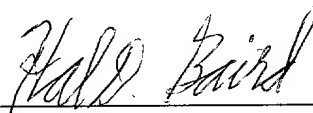
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Date of Deposit: August 3, 2001

I hereby certify that this patent application in the name of Michael H. Myers for "CODE-DIVISION, MINIMUM-SHIFT-KEYING OPTICAL MULTIPLEXING," together with three (3) sheets of drawings; Assignment and cover sheet; Declaration, Power of Attorney and Petition; transmittal letter; fee transmittal letter; and Check No. 2651 for \$395.00, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above in an envelope addressed to Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

Respectfully submitted,



Hal D. Baird
Reg. No. 42,284
Attorney for Applicant

Date: August 3, 2001

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Salt Lake City, Utah 84101
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